IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 16TH OCTOBER 2006 / 24TH ASWINA 1928

Bail Appl..No. 6084 of 2006

CRIME NO.326/2005 OF PALA POLICE STATION

PETITIONER:

P.R. ARAVINDAKSHAN NAIR,
MANAGING PARTNER, SABILA PHARMACEUTICALS,
NECHIPUZHOOR, PALA, KOTTAYAM DISTRICT.

BY ADV. SRI.P.N.PURUSHOTHAMA KAIMAL

RESPONDENTS:

STATE OF KERALA, REP. BY
DIRECTOR OF PUBLIC PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6084/2006

DATED THIS THE 16TH DAY OF OCTOBER, 2006

O R D E R

The petitioner is before this Court, under Section 438 Cr.P.C., as he is accused of the offence punishable under Section 420 IPC and also under Sections 136, 137, 138 and 150 of the Electricity Act, 2003, in crime No.326/2005 of Pala Police Station.

2. The prosecution alleges that the petitioner had changed the C.Ts, provided under the ratio of 100/5A, with C.Ts at the ratio of 30/5A, which would bring the multiplication factor, according to the K.S.E.B, from 20 to only 6. Thus, it is the allegation of the K.S.E.B that there is a theft of electrical energy.

3. The counsel, appearing for the petitioner, had placed before me, the details available in the inspection report of the Additional Chief Electrical Inspector, dated 29.9.2006, the site mahazar prepared on 8.6.2005 and also the details of the F.I.R. It is further submitted by the

counsel that the installation of C.Ts 30/5A was done by the K.S.E.B itself, and not by the petitioner.

4. After hearing both sides and considering the materials that are available before me, I direct the petitioner to surrender before the Investigating Officer, who is investigating crime No.326/2005 of Pala Police Station, on 25.10.2006 at 10.00 a.m.

5. The Investigating Officer shall interrogate the petitioner and in the event of his arrest, he shall be released on bail, on he executing a bond for Rs.20,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Investigating Officer, arresting him.

6. The petitioner shall appear before the Investigating Officer, as and when required, for the purpose of the completion of the investigation.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs